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7 *Specialty Insurance Corporation*

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 CAPITOL SPECIALTY INSURANCE  
11 CORPORATION, a Wisconsin corporation,  
12 as assignee of UNITED CONSTRUCTION  
COMPANY,

13 Plaintiff,

14 v.

15 STEADFAST INSURANCE COMPANY, a  
16 Delaware corporation; RHP MECHANICAL  
17 SYSTEMS, a Nevada corporation; and AXIS  
18 SURPLUS INSURANCE COMPANY, an  
Illinois corporation,

19 Defendants.  
20

Case No.: 2:20-cv-1382-JCM-VCF

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING RAMIE  
MORALES SUBPOENAS AND TO  
VACATE NOVEMBER 30, 2022  
HEARING (ECF No. 134) ON  
STEADFAST'S MOTION FOR  
PROTECTIVE ORDER (ECF No. 109)**

21 PLAINTIFF Capitol Specialty Insurance Corporation ("CapSpecialty") and Defendant  
22 STEADFAST INSURANCE COMPANY ("Steadfast"), by and through their respective attorneys  
23 of record, hereby STIPULATE and agree as follows:

24 WHEREAS Steadfast filed a Motion for Protective Order ("Motion") on July 26, 2022  
25 (ECF No. 109) seeking to bar CapSpecialty from enforcing subpoenas served on Attorney Ramiro  
26 Morales ("Morales Subpoenas")

27 WHEREAS, the Motion is currently scheduled to be hear on November 30, 2022 [ECF No.  
28 134];

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WHEREAS Steadfast and CapSpecialty previously agreed that the testimony of Chris Ford (via deposition or at trial) is binding upon Steadfast;

WHEREAS CapSpecialty and Steadfast (collectively "Parties"), having met and conferred, hereby agree as follows:

1. CapSpecialty will withdraw the Morales Subpoenas and Steadfast will withdraw the Motion;

2. The Parties agree to not elicit testimony from Ramiro Morales at trial. This prohibition includes the use of any affidavits or declarations by Attorney Morales as well as live and recorded testimony; and

3. Steadfast agrees that Chris Ford is Steadfast's designated corporate witness under Fed. R. Civ. P. 30(b)(6) and Mr. Ford's testimony, including his June 2, 2022 deposition testimony, is binding upon Steadfast.

IT IS SO STIPULATED.

Dated: November 22, 2022

Dated: November 22, 2022

PAYNE & FEARS LLP

MORALES FIERRO & REEVES

By: /s/ Sarah J. Odia  
Sarah J. Odia, Esq.  
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By: /s/ William C. Reeves  
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Attorneys for Plaintiff CAPITOL SPECIALTY  
INSURANCE CORPORATION

Attorneys for Defendant STEADFAST  
INSURANCE COMPANY

### **ORDER**

The Court having considered the stipulation of the parties and good cause appearing, orders as follows:

1. The Morales Subpoenas and Motion are withdrawn;

2. The Parties may not elicit testimony from Ramiro Morales at trial. This prohibition includes the use of any affidavits or declarations by Attorney Morales as well as live and recorded

1 testimony;

2 3. The Court hereby vacates the November 30, 2022 hearing on the Motion; and

3 4. The testimony of Chris Ford, including his June 2, 2022 deposition testimony, is  
4 binding upon Steadfast.

5 IT IS SO ORDERED.

IT IS HEREBY ORDERED that the motion for protective  
order (ECF No. 109), is DENIED as moot.

6 DATED: 11-23-2022  
7 \_\_\_\_\_

8   
9 \_\_\_\_\_  
10 UNITED STATES MAGISTRATE JUDGE

11 4872-1302-7902.2

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